## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA )   |  |
|--|--|
| Plaintiff,   | ) 8:06CR377<br>)   |
| vs.  | )<br>DETENTION ORDER   |
| CARL TAYLOR,   |  |
| Defendant.   | <b>)</b>   |
| A. Order For Detention After waiving a detention heari Act on November 21, 2006, th pursuant to 18 U.S.C. § 3142(6)  | ng pursuant to 18 U.S.C. § 3142(f) of the Bail Reform le Court orders the above-named defendant detained e) and (i).   |
| conditions will reasonab  X By clear and convincing  |  |
| Services Report, and includes  X (1) Nature and circums  X (a) The crime: a distribute me violation of 2 years imprise distribution of 841(a)(1) ca and a maxim (b) The offense (c) The offense (d) The offense imprise (e) The offense imprise (f) The offense imprise (g) The offense imprise (h) Th | stances of the offense charged: a conspiracy to distribute and possess with intent to ore than 50 grams of "crack" cocaine (Count I) in 21 U.S.C. § 846 carries a minimum sentence of ten onment and a maximum of life imprisonment; and the of "crack" cocaine (Count II) in violation of 21 U.S.C. § rries a minimum sentence of five years imprisonment num of forty years imprisonment. is a crime of violence. involves a narcotic drug. nvolves a large amount of controlled substances, to wit: |
| X (3) The history and character (a) General Factor The may The   | defendant appears to have a mental condition which affect whether the defendant will appear. defendant has no family ties in the area. defendant has no steady employment. defendant has no substantial financial resources. defendant is not a long time resident of the community. defendant does not have any significant community   |

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| (b)     | At the time of the current arrest, the defendant was on:  Probation   |
|---------|---|
|         | Parole Release pending trial, sentence, appeal or completion of sentence.   |
| (C)     | Other Factors: The defendant is an illegal alien and is subject to  |
|         | deportation. The defendant is a legal alien and will be subject to deportation if convicted.  |
|         | The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.  Other:  |
| release | ature and seriousness of the danger posed by the defendant's are as follows: The nature of the charges in the Indictment and the ant's prior criminal history.                          |
|         | able Presumptions   |
| on the  | rmining that the defendant should be detained, the Court also relied ollowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) he Court finds the defendant has not rebutted: |
|         | That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety  |
|         | of any other person and the community because the Court finds that  |
|         | the crime involves: (1) A crime of violence; or   |
|         | X (2) An offense for which the maximum penalty is life  |
|         | imprisonment or death; or   |
|         | X (3) A controlled substance violation which has a maximum penalty of 10 years or more; or  |
|         | <ul> <li>(4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3)</li> </ul>  |
|         | above, <u>and</u> the defendant has a prior conviction for one  |
|         | of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed  |
|         | while the defendant was on pretrial release.  |
| X (b)   | That no condition or combination of conditions will reasonably  |
|         | assure the appearance of the defendant as required and the safety   |
|         | of the community because the Court finds that there is probable cause to believe:   |
|         | X (1) That the defendant has committed a controlled   |
|         | substance violation which has a maximum penalty of  |
|         | 10 years or more. (2) That the defendant has committed an offense under 18  |
|         | U.S.C. § 924(c) (uses or carries a firearm during and in  |
|         | relation to any crime of violence, including a crime of   |
|         | violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous  |
|         | weapon or device).  |

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 21, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge